

Remarks

Applicant has carefully considered the rejections in the previous office action and submits the following response. The claims have been carefully reviewed to correct errors along the lines of those discussed below, as well as typographical errors.

Rejections under 35 U.S.C. § 112, second paragraph

The examiner rejected claims 29-34, 39, 40, 51, 56, 74, and 96 as indefinite under 35 U.S.C. § 112, second paragraph. Amendments have been made to claims 39, 40, 51, 55, 56, 74 and 96. The amendments add no new matter and are believed to overcome (a) the rejections that the phrase "said adsorption" and "said polyalphaolefin" lack antecedent basis, and (b) the rejection based on improper Markush language.

Applicant traverses the rejection of claims 29, 31, and 33 as triplicates. Claims 29, 31, and 33 all depend from claim 27, but each specifies that the "graphite comprises granules having an average diameter" which is different. Specifically:

In claim 29, the average diameter is "from about 0.01 microns to about 10,000 microns.

In claim 31, the average diameter is "from about 0.1 microns to about 1,000 microns."

In claim 33, the average diameter is "from about 1 micron to about 100 microns."

Applicant respectfully requests that the rejection be withdrawn with respect to claims 29, 31, and 33.

Applicant also traverses the rejection of claims 30, 32, and 34 as triplicates. Claims 30, 32, and 34 depend from claim 28, but each specifies that the "graphite comprises granules having an average diameter" which is different. Specifically:

In claim 30, the average diameter is "from about 0.01 microns to about 10,000 microns.

In claim 32, the average diameter is "from about 0.1 microns to about 1,000 microns."

In claim 34, the average diameter is "from about 1 micron to about 100 microns."

Applicant respectfully requests that the rejection be withdrawn with respect to claims 30, 32, and 34.

-Double Patenting Rejections

The examiner issued a provisional nonstatutory obviousness-type double patenting rejection of claims 1-5 and 86-182 over claims 1-67 of U.S. Patent Application No. 10/795,889. The examiner also issued a nonstatutory obviousness-type double patenting rejection of claims 6-85 over claims 1-35 of U.S. Patent No. 7,018,434.

Applicant does not necessarily agree with the rejections. Nevertheless, in order to move the case to issuance, terminal disclaimers are submitted herewith.

CONCLUSION

The Commissioner is hereby authorized to charge any fees in connection with this request, or to credit any overpayment, to Deposit Account No. 50-0997 (SwRI-2846-06) maintained by Paula D. Morris & Associates, P.C.

Respectfully submitted,



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